

DISTRICT OF COLUMBIA RENTAL HOUSING COMMISSION

TP 28,196

In re: 1408 P Street, N.W., Unit 3

Ward Two (2)

ESTELLA RICHARDSON

Tenant/Appellant

v.

THE BARAC COMPANY

Housing Provider/Appellee

**ORDER ON MOTION TO WITHDRAW
AND SUBSTITUTE COUNSEL**

June 24, 2008

YOUNG, CHAIRPERSON. This matter is before the Rental Housing Commission (Commission) pursuant to a notice of appeal filed by the tenant in the above-referenced action. The applicable provisions of the Rental Housing Act of 1985 (Act), D.C. Law 6-10, D.C. OFFICIAL CODE §§ 42-3501.01-3509.07 (2001), the District of Columbia Administrative Procedure Act (DCAPA), D.C. OFFICIAL CODE §§ 2-501-510 (2001), and the District of Columbia Municipal Regulations (DCMR), 14DCMR §§ 3800-4399 (2004), govern the proceedings.

I. PROCEDURAL BACKGROUND

On June 12, 2008, Ann Marie Y. Hay, Counsel for appellant, Estella Richardson, filed the captioned Motion for Leave to Withdraw and for Substitute Counsel, pursuant to 14 DCMR § 3813 (2004). The Motion states that Ms. Hay is withdrawing as supervising counsel, personally, but not on behalf of the D.C. Law Students in Court Program which will continue to represent the tenant.

The motion further states that James S. Manlowe, Esquire will be the successor supervising attorney with the D.C. Law Students in Court Program. Mr. Manlowe will be handling the captioned matter. Ms. Hay states that attempts to contact the appellant regarding this change have been unsuccessful.

II. THE COMMISSION ORDER

The Commission's rule, 14 DCMR § 3813.1-3 (2004), on the withdrawal of counsel states:

If an attorney or other person representing a party wishes to withdraw from a case pending before the Commission, a written motion for application to withdraw shall be filed.

14 DCMR § 3813.1(2004).

The motion shall state whether the party consents to or opposes the motion and whether the party will be unrepresented or will have substitute representation. A copy of the motion shall be served on the party and the party advised that he or she has the right to oppose the motion.

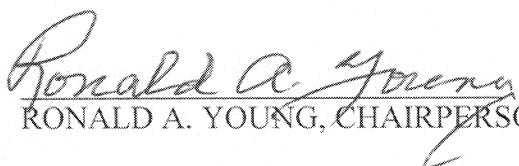
14 DCMR § 3813.2 (2004).

The motion shall state the specific reasons for withdrawal and shall state whether the absence of representation will prejudice the rights of the party.

14 DCMR § 3813.3 (2004).

In this case Attorney Hay properly filed the motion requesting to withdraw. Moreover, since new counsel simultaneously substituted his appearance, there will be no prejudice due to the withdrawal of the appearance of Attorney Hay. Accordingly, the motion is GRANTED.

SO ORDERED.


RONALD A. YOUNG, CHAIRPERSON

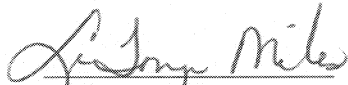
CERTIFICATE OF SERVICE

I certify that a copy of the **ORDER ON MOTION TO WITHDRAW AND SUBSTITUTE COUNSEL** in TP 28,196 was served by priority mail, with delivery confirmation, postage prepaid, this 24th day of **June, 2008**, to:

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